

### **REMARKS**

Claims 1-4, 6-12, 14-29 and 31-35 are now pending in the application. Claims 5, 13, and 30 have been previously cancelled. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 12, 13-23 and 24 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner believed that for claims 12 and 24, it was unclear whether §112, sixth paragraph, has been invoked for the certain claim elements, and further because the Examiner believed that no specific structure had been recited in these claims to perform the functionality of various claim limitations used therein. While the undersigned does not agree with this determination, in the interest of expediting prosecution, minor amendments have been made to independent claims 12 and 24 that are believed to set forth structure that should obviate the Examiner's concerns regarding how these claims should be interpreted. Accordingly, it is believed that this rejection has been overcome. Reconsideration and withdrawal of this rejection is most respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1, 2, 6, and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwesig et al. (U.S. Pat. Pub. No. 2005/0010635) in view of Evans

et al. (U.S. Pat. Pub. No. 2003/0033283) and Giroti et al. (U.S. Pat. Pub. No. 2003/0018700). This rejection is respectfully traversed.

Initially it will be noted that minor amendments have been made to independent claim 1 to even more fully highlight that the method involves performing a subscription action to provide a "first" information to one or more of a plurality of different entities after a protocol translating has been performed to change a protocol of the first information from a first protocol to a second protocol. Limitations have also been added to make even more clear that one or more of a plurality of different entities may transmit a "second" information to the publisher/subscriber architecture in a "third" protocol, which is translated by the publisher/subscriber architecture to the second protocol before the second information is published to one of the plurality of different entities. For the Examiner's convenience claim 1 is reprinted below in full as follows:

1. (Currently Amended) A method of communicating information between ~~heterogeneous~~ heterogeneous systems, the method comprising:

providing a publisher/subscriber architecture interposed between a first network and a second network, and having a subscription manager for generating a subscription and acting as a proxy subscriber on [[a]] the first network to receive first information over the first network relating to the subscription, for use by a specific entity communicating with the publisher/subscriber architecture over [[a]] the second network;

using a subscription router to receive the first information;

using a first protocol translator associated with the subscription manager for translating the first information from a first protocol to a second protocol;

using the subscription router to access a table to determine which one of a plurality of different entities in communication with the publisher/subscriber architecture, and that have each previously provided a subscription request to the publisher/subscriber architecture, are to receive the first information;

using the table to determine specifically which one or more of the plurality of different entities are to receive the first information, and transmitting the first information, after the first information has been

*translated to the second protocol, to the one or more of the plurality of different entities in accordance with subscription information from the table;*

*using a publication manager of the publisher/subscriber architecture to accept a second information from the one or more of the plurality of different entities, and to act as a publisher of the second information for the one or more of the plurality of different entities to at least one remote entity; [[and]]*

*using a second protocol translator associated with the publication manager for translating the second information from a third protocol to the second protocol;*

*using the publication manager to publish the second information, after the second information has been translated from the third protocol to the second protocol, to the at least one remote entity;*

*for at least one of the publisher and subscriber operations, using the publisher/subscriber architecture to automatically register the one or more of the entities to implement one of the publishing and subscription operations without a registration action by the one or more of the entities.*

It is respectfully submitted that claim 1 is not rendered obvious by the cited references. Initially it will be noted that Schwesig et al. has been discussed in at least one prior response, but it bears repeating that Schwesig et al. does not involve the use of any protocol translators whatsoever. Moreover, Schwesig et al. would not appear to require, or be benefitted by, the use of protocol translators that translate information from the client devices (e.g., devices 210, 220, 225, 230, 235, 240, 245 and 250 in Figure 2 of Schwesig et al.). That is because each device apparently knows the network address of the remote component that it is communicating with and is transmitting information directly to, or receiving information directly from, the remote component. Put differently, there simply appears to be no need for any type of "publisher/subscriber" architecture apparatus or method that is interposed between the devices 210-250 and the remote components 215, 255 and 260 in Figure 2, and in fact such a modification would clearly not enhance the Schwesig system or provide any

benefit thereto. The Examiner has also not identified why one skilled in this art would have been motivated to modify the Schwesig et al. system as the Examiner has done so in this instance.

The Examiner has cited Giroti et al. as showing both first and second protocol translators (Office Action p. 10, lines 3-16). However, the undersigned respectfully disagrees that Giroti et al. discloses, or even suggests the use of, first and second translators. Giroti et al. is related to a unified XML integrated voice and data application device that is adapted to supply both voice and data simultaneously to different devices that the user has available (where each of the user devices can only receive one of voice or data information, but not both simultaneously). Giroti et al. makes use of a unified XML engine to govern the delivery of disparate XML files and RTP streams of converged voice and data. However, it appears that whatever translating that may be happening with the Giroti et al. system is only happening for information that is being provided by the Integrated Application Delivery System (IADS) 10 (Figure 2) to the user devices 24, 26 and 28. In other words, there does not appear to be protocol translating being done on information that is being provided by the devices 24, 26 and 28 to the IADS 10. In fact, there really is no "publishing" of information from the devices 24, 26 and 28 taking place at all in Giroti et al. The entire thrust of Giroti et al. is providing some type of device that supply information in different formats (e.g., Voice XML to a mobile phone user and WML to the same user's handheld Palm V or BlackBerry) so that the information can be used simultaneously by the user to more fully use/enjoy the provided content. The specific paragraphs cited by the Examiner do not appear to

disclose or even suggest that protocol translating is occurring for information being "published" by the user devices 24, 26 and 28.

The Examiner has cited Evans as forming a part of the present obviousness rejection, but there is nothing in Evans to suggest the use of two independent protocol translators associated with a subscription manager and a publication manager. For at least these reasons, reconsideration and withdrawal of this rejection is most respectfully requested.

Claims 3, 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwesig et al. in view of Evans et al. and Giroti et al. as applied to claim 1 above, and further in view of Chou et al. (U.S. Pat. Pub. No. US 2003/0018796). Claims 8-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwesig et al. in view of Evans et al. and Giroti et al. as applied to claim 1 above, and further in view of Nedbal (U.S. Pat. No. 7,107,574). Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwesig et al. in view of Evans et al. and Giroti et al. as applied to claim 1 above, and further in view of Mueller et al. (U.S. Pat. Pub. No. 2005/0027867). In view of the amendments to claim 1 and the remarks presented above, it is believed that these rejections have been rendered moot.

Claims 12, 14, 17, 21-29, 31, 32 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwesig et al. in view of Giroti et al. In view of the amendments to independent claims 12 and 24, which are somewhat similar to those made to claim 1, and the remarks presented above regarding Schwesig et al. and Giroti et al., it is believed that this rejection has been rendered moot. The Examiner will also note that independent claim 24 now includes additional language that makes clear that

the “first” and “second” specific entities are different entities that are making use of two different protocol translators (i.e., that the first specific entity has its first information translated by the first protocol translator), while the second specific entity receives the second information that has been translated by the second protocol translator into a different protocol. In view of these important distinctions, it is respectfully submitted that independent claims 12 and 24 clearly define over the cited reference.

Claims 15, 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwesig et al. in view of Giroti et al. as applies to claim 12 above, and further in view of Chou et al. Claims 18-20 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwesig et al. in view of Giroti et al. as applied to claims 12, 24 above, and further in view of Nedbal. Claim 33 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwesig et al. in view of Giroti et al. as applied to claim 24 above, and further in view of McCall et al. (U.S. Pat. Pub. No. 2002/0188522). In view of the amendments to independent claims 12 and 24, it is believed that all of these rejections have been rendered moot.


## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner

believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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